

38-5-1. Filing with clerk of district court -- Recording with county recorder -- Effect.

(1) (a) A person may file in the office of the clerk of a state district court a transcript of a judgment or decree rendered in the district court of the United States within the state.

(b) A decree or judgment filed in accordance with Subsection (1)(a) has the same force and effect as a judgment rendered in a state district court.

(2) Except as provided in Subsection (3), if a person records a judgment or an abstract of judgment or decree under Subsection (1) in the office of the county recorder, that judgment or decree becomes a lien in accordance with Section 78B-5-202.

(3) A state agency is exempt from the recording requirement of Subsection (2).

(4) (a) To release, assign, renew, or extend a lien created by a judgment recorded in the office of a county recorder, a person shall, in the office of the county recorder of each county in which an instrument creating the lien is recorded, record a document releasing, assigning, renewing, or extending the lien.

(b) The document described in Subsection (4)(a) shall include:

(i) the date of the release, assignment, renewal, or extension;

(ii) the name of any judgment creditor, debtor, assignor, or assignee; and

(iii) for the county in which the document is recorded in accordance with Subsection (4)(a):

(A) the date on which the instrument creating the lien was recorded in that county's office of the county recorder; and

(B) in accordance with Section 57-3-106, that county recorder's entry number and book and page of the recorded instrument creating the judgment lien.

Amended by Chapter 88, 2011 General Session

38-5-2. Judicial lien against water rights and related assets of a mutual benefit corporation.

(1) As used in this section:

(a) "Judicial lien" is defined in Section 16-6a-119.

(b) "Mutual benefit corporation" is defined in Section 16-6a-102.

(c) "Water rights and related assets" is defined in Section 16-6a-119.

(2) A judicial lien recorded on or after May 12, 2009 against the water rights and related assets of a mutual benefit corporation is subject to Section 16-6a-119.

Enacted by Chapter 37, 2009 General Session